

MONTEREY COUNTY BOARD OF SUPERVISORS

MEETING: November 6, 2007; 1:30 PM		AGENDA NO:
SUBJECT:		
a. Hold a Public Hearing regarding text changes to be incorporated in a draft 2007 General Plan (GPU5); b. Direct staff to prepare a draft General Plan consistent with Board direction; c. Direct staff to proceed with the preparation of a Subsequent EIR. (Hearing - PLN070525/2007 General Plan Update, County-wide)		
Project Location:	Unincorporated County	APN: Countywide
Planning Number:	PLN070525	Name: County of Monterey
Plan Area:	Cachagua, Carmel Valley, Central Salinas Valley, Greater Monterey Peninsula, Fort Ord, Greater Salinas, North County (Inland), South County, Toro, Agricultural Winery Corridor	Flagged and Staked: N/A
Zoning Designation:	Multiple	
CEQA Action:	N/A	
DEPARTMENT: RMA – Planning Department		

RECOMMENDATION:

It is recommended that the Board of Supervisors:

- a) Hold a Public Hearing regarding text changes to be incorporated in a draft 2007 General Plan (GPU5);
- b) Direct staff to prepare a draft General Plan consistent with Board direction.
- c) Direct staff to proceed with the preparation of a Subsequent EIR.

SUMMARY:

On September 18, staff presented the Board with the Planning Commission’s recommendations on policies to be included in GPU5, and a public hearing on these recommendations was held on September 25. Board member summarized their individual areas of key concern for staff to assess based upon public input. On October 16, staff returned with options for the Board to consider that reflect this general direction, and the Board provided direction on options that should be incorporated into text changes to GPU5. Based on all of the input to date, staff has prepared a summary of all the proposed changes including those made by the Planning Commission (**Exhibit A**).

DISCUSSION:

Using the Planning Commission recommendations as a base and incorporating Board direction from October 16, staff has prepared draft policy language to consider incorporating into GPU5. **Exhibit A** to this report includes all of the policies changes to GPU4 that have been identified for consideration by the Board for inclusion in GPU5. Staff has also received direction for mapping changes that are not included with this report. Text that is shaded represents areas where language has changed from the Planning Commission recommendation. Edits reflect changes from GPU4 by using strikeout text to illustrate deletions and underline text to illustrate new language.

Policies that have been amended from the Planning Commission recommendation include:

- 1. Transfer of Development Rights (Policy LU-1.8/page 1). This policy has been amended to provide direction for criteria regarding this program.

2. Affordable Housing (Policy LU-1.a/page 2, Policy LU-2.13/page 3, Policy LU-2.a/page 6, Policy LU-2.b/page 6). At the Board request to consider policy language that would encourage the development of farmworker housing, staff has provided text for Board consideration in LU-1.a (Development Evaluation System) and in LU-2.13 (Affordable Housing Overlay Program). Staff also reviewed policies from other agencies (e.g. City of Salinas) and believes that, although these may be appropriate for a City, the policies more complicated that seems appropriate for the County. We have drafted amended policy language to try to clarify a program for the County. In addition, the minimum amount of affordable housing has been increased to 25%, including 5% Workforce I housing units.
3. River Road Rural Center (Policy LU-2.27/page 8, Policy T-1.b/page 17). The Board requested that staff bring back additional options for consideration with respect to a River Road Rural Center that would be smaller in size than the Rural Center that had been included in GPU4. T-1.b identifies two options. The first option would be to designate a small 40 acre area at the far western end of the former rural center as a special treatment area for residential development. Option 2 is a small rural center that extends from the end of Las Palmas to Pine Canyon. Staff will present a map of the two options at the Board hearing. The Special Treatment Area option would be limited to residential development. The reduced Rural Center option could allow residential and commercial as appropriate for a Rural Center in this area and would be subject to the development rules for Rural Centers (Residential Evaluation System and minimum 35% affordable housing).
4. GP Amendments (Policies LU-9.a and LU-9.b/page 9). Reflects changes that limit the number of amendments to two, and amends language to reflect State law that amendments be in the public interest.
5. Level of Service exceptions (Policy C-1.1/page 9). The exception for AHO's was deleted to address concerns for developing these areas on already impacted roads (e.g. Highway 68).
6. CIFP Timing (Policy C-1.2/page 9). Amended to reflect annual review of costs.
7. Slopes (Policy OS-3.5/page 11, Policy CV-3.a/page 15). This policy has been amended to consider a criterion based Agricultural Permit program that that grading conditions differ between agriculture and development. The 1986 CVMP policy prohibiting cultivation on slopes over 25% in Carmel Valley has been included as Policy CV-3.a). Staff will discuss other options with the Board.
8. Wastewater Treatment (Policy PS-4.a/page 12). This is a new policy to require On-site Wastewater Treatment Plans in areas where the Regional Water Quality Control Board has indicated we need to address.
9. Ag Element. On October 16, a letter from the Ag Conservancy was presented to the Board, and staff was directed to consider their requests. Staff has consolidated the requests into six policy changes that we have discussed with the conservancy and representatives from the Ag industry. These changes include clarifying Goal AG-3 (page 12), Policy AG-1.2 (buffers/page 12), Policy AG-1.3 (Subdivision of Ag lands/page 13), Policy AG-1.4 (Viable Ag/page 13), Policy AG-1.10 (Farmland Mapping/page 13), and Policy AG-1.12 (Ag Mitigation/page 13).
10. Carmel Valley Buildout (Policy CV-1.6/page 14). This policy has been amended to reflect current buildout limits.
11. Rancho Canada Village (Policy CV-1.a/page 14). The Mouth of Carmel Valley was amended to remove the AHO and create a Special Treatment Area for the Rancho Canada Village project.

12. Rancho San Juan (Policy GS-1.1/page 15). The Board directed staff to change the land use designation for the properties outside Butterfly Village in the former Rancho San Juan ADC. There is no text proposed. The changes that would be made to GPU5 would be incorporated into the map for the Greater Salinas Area Plan.
13. Espinosa Road Study Area (Policy GS-1.11/page 16). This language was amended to expand the study area and identify limitations if a Special Treatment Area is established.
14. Lots of Record (Policy GS-1.a/page 16, Policy NC-1.a/page 16, Policy T-1.a/page 17). The Board indicated that it wanted to consider limited residential development on lots of record in North County, Greater Salinas Area Plan and portions of the Toro Area Plan. Staff has written two versions for how this policy might be drafted for Board consideration. GS-1.a, NC-1.a and T-1.a provide text language options for the Board to consider. The Board could make each of these policies consistent or choose to differentiate among these approaches.
15. AWCP (pages 17 and 18). Add 10 full scale wineries back as drafted in GPU4.

Staff is recommending that the Board provide its final direction on policies to include in GPU5 which would enable staff to initiate preparation of a Subsequent EIR and to initiate consultation with the cities and tribal nations. Staff estimates that it would require approximately one week following Board direction to prepare a draft document for distribution to the public. We will be prepared to discuss the opportunities and constraints for administering program proposed with some of these policy changes.

OTHER AGENCY INVOLVEMENT:

The General Plan includes input from all land use departments.

FINANCING:

This expense was unbudgeted and CAO Budget and Analysis staff is working with the Planning Department to determine what budget adjustments may be needed to address this unanticipated cost. This would include production costs and contract augmentation for the preparation of the Subsequent EIR. Any needed modification to the Planning Department budget will be brought forth as part of the County’s Mid-Year Financial Report.

Prepared by:

Approved by:

 Carl P. Holm, AICP, Acting Planning Manager
 755-5103; holmcp@co.monterey.ca.us

 Alana Knaster, Deputy Director
 Resource Management Agency

cc: Board of Supervisors (30); County Counsel; Environmental Health Division; Public Works; Monterey County Water Resources Agency; Redevelopment/Housing, Agricultural Commissioner, Parks, Fire Protection Association; Alana Knaster, Mike Novo, Jeff Main, Carl Holm; Project File

Attachment A: Text Changes for Inclusion in GPU5

SUMMARY OF RECOMMENDED CHANGES GPU5

- LU-1.7 Clustering of residential development to those portions of the property which are most suitable for development and where appropriate infrastructure to support that development exists or can be provided shall be strongly encouraged. Lot line adjustments among four lots or fewer, or the re-subdivision of more than four contiguous lots of record that do not increase the total number of allowable lots may be allowed pursuant to this policy without requirement of a general plan amendment.
- LU-1.8 Voluntary reduction or limitation of development potential in the rural and agricultural areas through dedication of scenic or conservation easements, Transfer of Development Rights (TDR), and other appropriate techniques shall be encouraged. The Transfer of Development Credit (TDC) in the Big Sur Land Use Plan is a separate program to address development within the critical viewshed. A TDR Program shall be established to provide a systematic, consistent, predictable, and quantitative method for decision-makers to evaluate receiver sites in areas of the unincorporated County with priority for locations within Community Areas and Rural Centers. The program shall include a mechanism to quantitatively evaluate development in light of the policies of the General Plan and the implementing regulations, resources and infrastructure, and the overall quality of the development. Evaluation criteria shall include but are not limited to:
- a. Site Suitability
 - b. Infrastructure
 - c. Resource Management
 - d. Proximity to a City, Community Area, or Rural Center.
 - e. Environmental Impacts and Potential Mitigation
 - f. Proximity to multiple modes of transportation
 - g. Avoid impact to productive farmland
- ~~LU-2.12~~
~~LU-1.a~~ A Residential Development Evaluation System shall be established to provide a systematic, consistent, predictable, and quantitative method for decision-makers to evaluate residential developments of five or more lots or units in areas of the unincorporated County outside of Community Areas and Rural Centers, and in Rural Centers prior to the preparation of the required Infrastructure and Financing Study. The system shall include a mechanism to quantitatively evaluate development in light of the policies of the General Plan and the implementing regulations, resources and infrastructure, and the overall quality of the development. Community Areas, Rural Centers and Affordable Housing Overlay districts are the top priority for development in the unincorporated areas of the County. Outside of those areas, a Development Evaluation System shall be established to provide a systematic, consistent, predictable, and quantitative method for decision-makers to evaluate developments of five or more lots or units and developments of equivalent or greater traffic, water, or waste water intensity. The system shall be a pass-fail system and shall include a mechanism to

SUMMARY OF RECOMMENDED CHANGES GPU5

quantitatively evaluate development in light of the policies of the General Plan and the implementing regulations, resources and infrastructure, and the overall quality of the development. Evaluation criteria ~~may~~ shall include but are not limited to:

- h. Site Suitability
- i. Infrastructure
- j. Resource Management
- k. Proximity to a City, Community Area, or Rural Center. ~~The scoring system will provide more points for a project that is located in a Rural Center.~~
- l. Mix/Balance of uses including Affordable Housing consistent with the County Affordable/Workforce Housing Incentive Program adopted pursuant to the Monterey County Housing Element.
- m. Environmental Impacts and Potential Mitigation
- n. Proximity to multiple modes of transportation
- o. Jobs-Housing balance within the community and between the community and surrounding areas
- p. Minimum passing score

~~Said Evaluation System is not intended to:~~

- ~~a. be a “pass/fail” evaluation nor a competition among except for the following minimum requirements:~~

Residential development shall incorporate the following minimum requirements for developments in Rural Centers prior to the preparation of an Infrastructure and Financing Study, or outside of a Community Area or Rural Center: ~~must meet a minimum requirement of~~

- 1) 35% affordable/workforce housing (25% inclusionary; 10% Work Force) for projects of five or more units to be considered.
- 2) If the project is designed with at least 15% farmworker inclusionary housing, the minimum requirement may be reduced to 30% total.
- ~~2) Development outside of a Community Area or Rural Center must meet a minimum requirement of 50% affordable/workforce housing (30% inclusionary, 20% Workforce) for projects of five or more units to be considered~~

This Development Evaluation System shall be established within **12** months of adopting this General Plan.

LU-1.b Residential development within unincorporated Monterey County shall be limited to area build-out. Area build-out means specific land use/density designations as mapped in the area plans and adopted as part of this General Plan. The Resource Management Agency shall develop a tracking system for build-out by Planning Area and shall present an annual report before the Planning Commission.

~~LU-2.12 A Residential Development Evaluation System shall be established to provide a systematic, consistent, predictable, and quantitative method for decision makers to evaluate residential developments of five or more lots or units in areas of the~~

SUMMARY OF RECOMMENDED CHANGES GPU5

~~unincorporated County outside of Community Areas and Rural Centers, and in Rural Centers prior to the preparation of the required Infrastructure and Financing Study. The system shall include a mechanism to quantitatively evaluate development in light of the policies of the General Plan and the implementing regulations, resources and infrastructure, and the overall quality of the development. Evaluation criteria may include but are not limited to:~~

- ~~q. Site Suitability~~
- ~~r. Infrastructure~~
- ~~s. Resource Management~~
- ~~t. Proximity to a City, Community Area, or Rural Center. The scoring system will provide more points for a project that is located in a Rural Center.~~
- ~~u. Mix/Balance of uses including Affordable Housing consistent with the County Affordable/Workforce Housing Incentive Program adopted pursuant to the Monterey County Housing Element.~~
- ~~v. Environmental Impacts and Potential Mitigation~~
- ~~w. Proximity to multiple modes of transportation~~
- ~~x. Jobs Housing balance within the community and between the community and surrounding areas~~

~~Said Evaluation System is not intended to:~~

- ~~b. be a “pass/fail” evaluation nor a competition among developments except for the following minimum requirements:
 - ~~1) Developments in Rural Centers prior to the preparation of an Infrastructure and Financing Study must meet a minimum requirement of 35% affordable/workforce housing (25% inclusionary; 10% Work Force) for projects of five or more units to be considered.~~
 - ~~2) Development outside of a Community Area or Rural Center must meet a minimum requirement of 50% affordable/workforce housing (30% inclusionary, 20% Workforce) for projects of five or more units to be considered.~~~~

~~(REVISED AND MOVED TO LU-1.19)~~

LU-2.13

~~An Affordable/Workforce Housing Incentive program shall be adopted pursuant to the Monterey County Housing Element (Chapter 9). Details shall be developed as part of the ordinance.~~

The County shall encourage the development of affordable and workforce housing projects through the establishment of an Affordable Housing Overlay Program, based on the following parameters.

a. The following areas shall be designated as Affordable Housing Overlay (AHO) Districts:

- ~~(1) The Mouth of the Carmel Valley (Figure ---)~~
- (2) Mid-Carmel Valley (Figure ---). Approximately 13 acres located east and west of existing mid-valley development, excluding portions of properties located within the floodplain.

SUMMARY OF RECOMMENDED CHANGES

GPU5

- (3) Highway 68/Monterey Peninsula Airport (Figure ---). Approximately 85 acres located east of Highway 68, excluding areas with native Monterey pine forest.
- (4) Reservation Road/Highway 68 (Figure ---). A 31-acre parcel located on the south side of Reservation Road shall be developed with a mix of neighborhood commercial uses and residential units that serve a range of income levels.
- (5) Community Areas prior to the adoption of a Community Plan
- (6) Rural Centers prior to the adoption of an Infrastructure and Financing Study.

b. Properties must meet the following suitability criteria in order to be eligible for the Affordable Housing Overlay Program:

- (1) The property is located within an Affordable Housing Overlay (AHO) district;
- (2) Development within the Affordable Housing Overlay District shall be approved on a project-by-project basis and achieve the following levels of affordability (plus or minus 1%):
 - 10% Very Low
 - 15% Low
 - 15% Moderate
 - 20% Workforce I, and
 - 40% Workforce II.

Individual projects may increase the percentage of Very Low, Low and Moderate income categories by reducing the percentage of Workforce I or Workforce II income levels. Up to 25% of the Work Force II housing may be market-rate if necessary to achieve the higher levels of affordability of the development or to accommodate at least 15% farmworker housing. This exception shall be based on one or more of the following criteria:

- i) the specific project characteristics and location relative to housing needs in the local area;
- ii) special economic factors, such as land cost or infrastructure upgrades, affecting the cost of development within the local area;
- (3) CEQA analysis for the project does not disclose any significant unavoidable adverse impacts for which findings of overriding considerations cannot be made;
- (4) Mixed Use development that combines living areas with commercial uses would be encouraged to tie in with surrounding commercial and residential land uses. A mix of housing types on sites in excess of 5 acres, i.e., at least two product types, such as

SUMMARY OF RECOMMENDED CHANGES

GPU5

for rent apartments, for rent townhomes, ownership townhomes, ownership single family homes. On sites of less than 5 acres, a single housing type may be allowed. The mix of housing types and designs shall be sensitive to neighboring uses.

- c. If a property meets all of the suitability criteria in (b) above, the property owner may voluntarily choose to develop an Affordable Housing Overlay project, rather than a use otherwise allowed by the underlying land use designation.
 - d. The minimum density for an Affordable Housing Overlay project shall be 6 units per acre, up to a maximum of 30 units per acre. An average density of 10 units per acre or higher shall be provided. The maximum lot size for detached single-family affordable units shall be 5,000 square feet.
 - e. To encourage voluntary participation in the Affordable Housing Overlay process, the County shall provide incentives for Affordable Housing Overlay projects such as:
 - (1) Density bonuses;
 - (2) Streamlined permitting process, including assigning experienced staff to such projects, hiring outside contract planners, plan checkers and building inspectors (at the cost of the developer)
 - (3) Waiver or deferral of planning and building permit fees (but not fees for the purpose of financing infrastructure);
 - (4) Priority allocation of resource capacity such as water and sewer over other projects not yet approved.
 - (5) Modified development standards and grant funding assistance, shall be established to encourage voluntary participation in this program.
- f. Within Community Areas, affordable housing projects meeting the provisions of this policy may proceed prior to adoption of a Community Plan and needed regional infrastructure as long as all project related infrastructure improvements are made concurrent with the development.
 - g. Within Rural Centers, affordable housing projects meeting the provisions of this policy may proceed prior to preparation of an Infrastructure and Financing Study as long as all project related infrastructure improvements are made concurrent with the development.
 - h. Where infrastructure deficiencies or other conditions qualify, include Affordable Housing Overlay projects within redevelopment areas. Use the tax increment from the project area to finance off-site infrastructure and level of service improvements and to subsidize the Very Low and Low income units within the Affordable Housing Overlay project.
 - i. The Board of Supervisors shall review the 25% exemption cap (paragraph b.2 above) every two years to assure that this Affordable Housing Overlay

SUMMARY OF RECOMMENDED CHANGES GPU5

policy achieves its intended goal of encouraging developers to voluntarily produce Affordable Housing Overlay projects.

LU-2.a Monterey County shall establish a program for retaining affordable housing units. For-sale housing units with affordability restrictions developed within redevelopment project areas (Pajaro, Castroville, Boronda, and Fort Ord), Community Areas and Rural Centers prior to the adoption of their Plans, as well as any project developed under the Affordable Housing Overlay Program shall comply with State Redevelopment law. Rental units shall be deed restricted in perpetuity countywide. For-sale units with affordability restrictions in all other areas shall have the option of conforming to State Redevelopment Law criteria or conform to the following guidelines:

- a) Remain affordable for a minimum 30-year term with a graduated Equity Sharing Program beginning after 15 years that increases based on the length of ownership (e.g.; the longer the ownership the greater percentage of equity for the homeowner).
- b) Affordable housing units shall be offered to the County of Monterey who shall have a First Right of Refusal, and
- e) If a unit is sold before 15 years, it must be resold to a qualified buyer within the same affordability level as the original buyer and the 30-year term restarts from the new date of sale.
- d) Units developed under this option shall be subject to a 30-year Program.
- e) Within the first 15 years of this Program:
 - 1 Units must be resold to a qualified buyer at the same income level at which the unit was first sold.
 - 2 The 30-year restriction shall restart from the date of sale if the unit is sold.
- f) Between year 16 and 30 of this Program, sale of units may be sold at market value but shall be subject to an Equity Sharing Program that increases based on the length of ownership.
- g) Units retained by the same owner for more than 30 years shall not be subject to this Program.

LU-2.b The County shall assure consistent application of an Affordable Housing Ordinance that requires 25% of new housing units be affordable to very low, low, moderate, and workforce income households. The Affordable Housing Ordinance shall include the following minimum requirements:

- 1 6% of the units affordable to very low-income households
- 2 6% of the units affordable to low-income households
- 3 8% of the units affordable to moderate-income households
- 4 5% of the units affordable workforce I income households

LU-2.20 The County shall establish and emphasize Community Areas as the preferred location and the priority for additional development in the County to support a mix of land use types at an urban level. Community Areas are planned population

SUMMARY OF RECOMMENDED CHANGES GPU5

centers where new development in the unincorporated area shall be actively supported as the County's primary planning priority.

- LU-2.21 The following areas are designated as Community Areas (maps are located at the end of this Element):
- a. Pajaro (*Figure 7*).
 - b. Castroville (*Figure 8*). To the extent that the Castroville Community Area is located in the coastal zone, that portion of the Community Area shall require an amendment to the Local Coastal Program certified by the California Coastal Commission as part of the Community Plan process.
 - c. Boronda (*Figure 9*)
 - d. Fort Ord/East Garrison (*Figure 10, and Policy LU-2.24*)
 - ~~e. Rancho San Juan (*Figure 11, and Policy LU 2.24*)~~
 - f. Chualar (*Figure 12*). Boundaries for the Chualar Community Area are to be developed by a citizen group with recommendation to the Board of Supervisors, but shall not exceed 350 acres over the life of this Plan (20 years). Planning for the Chualar Community Area and any Community Plan ultimately adopted for Chualar shall be consistent with that certain Settlement Agreement between Chualar Area Concerned Citizens, et al and the County of Monterey in Chualar Area Concerned Citizens, et al v. County of Monterey (Monterey County Superior Court Case no. 107519), executed on or about October 16, 2001.

~~g. San Lucas (*Figure 13*)~~

The maps are descriptive of the Community Area, but may be modified through the Community Plan/Specific Plan process. Establishing Chualar Community Area boundaries and expansion of established Community Area boundaries would require an amendment to this General Plan.

- LU-2.23 Planning for Community Areas except for ~~the Rancho San Juan Community Area~~ and the East Garrison portion of Fort Ord shall be accomplished through the adoption of Community Plans guided by affected residents and landowners as described in *Policy H-3.5*. Completion of Community Plans for all Community Areas designated in this Plan shall be actively supported as the County's primary planning priority with Pajaro and Chualar being the highest priorities. Community Plans may be initiated by either the County or by party or parties owning property within the Community Area acting at their expense. However, any such planning process will be conducted by the County. Proposed Community Plans may include recommendations for Community Area boundary changes, subject to a General Plan amendment. Upon adoption of a Community Plan, the County shall establish a Community Plan (CP) land use overlay designation for all properties within the Community Area. A Community Plan shall include policies designed to ensure the full implementation of *Policy LU-2.22* as well as provide for housing densities and types consistent with Housing Element policies (see for the period covered by the Housing Element 2002-2008, adopted November 4, 2003, Housing Element *Policies H-3.3, H-3.4, H-4.2, and H-4.3* and Implementation Programs *H-3.b, H-3c*).

SUMMARY OF RECOMMENDED CHANGES GPU5

LU-2.24 Specific Plans for *East Garrison I* (part of Fort Ord Community Area) ~~and Rancho San Juan (a.k.a. Butterfly Village)~~ adopted prior to this General Plan has satisfied and shall continue to satisfy the requirements for a Community Plan for ~~those respective~~ that areas, and the CP overlay designation shall be applied to those areas. Development agreements and tentative maps are in place and guide development of the East Garrison portion of the Fort Ord Community Area. ~~and the Rancho San Juan Community Area.~~ The General Plan shall, as applicable, be construed in a manner consistent with development as provided for in these specific plans and development agreements. In addition to the above-referenced East Garrison Specific Plan which governs a portion of the Fort Ord Community Area, the Fort Ord Master Plan (adopted as a general plan amendment in November 2001 and included in the Area Plan section of this General Plan) governs the entire Fort Ord Community Area and shall serve as the Community Plan for the Fort Ord Community Area. Any future amendments to the Fort Ord Master Plan must be consistent with the Fort Ord Reuse Plan, as adopted by the Fort Ord Reuse Authority (FORA) in June 1997 and as may be amended by FORA, and shall follow the criteria in *Policies LU-2.22 and LU-2.23* as applicable.

LU-2.27 The following areas are designated as Rural Centers (maps are located at the end of this Element):

~~a. Prunedale (Figure 14)~~

b. River Road ~~between Pine Canyon (Salinas) and Las Palmas (Figure 15)~~

See Toro Area Plan

~~e. San Benancio/Corral de Tierra (Figure 16)~~

~~d. Toro Park Estates/Serra Village (Figure 17)~~

e. Lockwood (Figure 18)

f. Pleyto (Figure 19)

g. Bradley (Figure 20)

h. San Ardo (Figure 21)

i. Pine Canyon (King City) (Figure 22)

j. San Lucas (Figure xx)

The maps define the boundaries of the Rural Centers but may be modified through the General Plan amendment process. Changing a Rural Center to a Community Area shall be processed as a General Plan Amendment.

LU-9.a The County shall develop a specific process for general plan amendments recognizing:

a. The right of an individual to apply;

b. The need to collectively review plan amendments in a comprehensive, cumulative and timely manner;

c. A need for an early assessment of plan amendment requests to determine the suitability of the request and provide early feedback to applicants before embarking on an extensive, expensive amendment process; and,

SUMMARY OF RECOMMENDED CHANGES GPU5

- d. The Board shall consider two packages of applicant generated general plan amendments per year. Projects deemed complete prior to October 16, 2007 shall not be subject to this limit.

LU-9.b The County shall develop criteria for consistently evaluating amendments. Amendments should be considered if:

- a. There is a demonstrable error or oversight in the adopted plan; or,
b. There is a clear change of facts or circumstances; or,
c. The amendment better carries out the overall goals and policies of the general plan and there is a significant the amendment is in the public benefit interest to the amendment.

LU-9.c The County shall periodically review and update various regulations and codes consistent with amendments to the general plan.

C-1.1 The acceptable level of service for County roads and intersections shall be Level of Service (LOS) D, except as follows:

- a. Acceptable level of service for County roads in Community Areas may be reduced below LOS D through the Community Plan process.
b. County roads operating at LOS D or below at the time of adopting this General Plan shall not be allowed to be degraded further except in Community Areas or Affordable Housing Overlay Districts where a lower LOS may be approved through the public-Community Plan process.
c. Area Plans and Lands Use Plans may establish an acceptable level of service for County roads other than LOS D. The benefits which justify less than LOS D shall be identified in the Area Plan. Where an Area Plan does not establish a separate LOS, the standard LOS D shall apply.

C-1.2 The standard for the acceptable level of service (LOS) as noted in *Policy C-1.1* is to be achieved by 2026. That LOS standard is to be achieved through the development and adoption of Capital Improvement and Financing Plans (CIFP) and implementing ordinances that:

- a. Define benefit areas to be included in the CIFP. Benefit areas could include Planning Areas, Community Areas, or the County as a whole.
b. Identify and prioritize the improvements to be completed in the benefit areas over the life of the General Plan.
c. Estimate the cost of the improvements over the life of the General Plan.
d. Identify the funding sources and mechanisms for the CIFP to include, but not limited to, a Traffic Impact Fee (TIF).
e. Provide an anticipated schedule for completion of the improvements.
f. Coordinate with TAMC's regional fee program.
g. A TIF shall be implemented to ensure a funding mechanism for transportation improvements to county facilities in accordance with *Policy C-1.8*.

The CIFP shall be completed within 18 months from the adoption of the General Plan. Construction costs and land values shall be adjusted annually

SUMMARY OF RECOMMENDED CHANGES GPU5

and the CIFP shall be reviewed every five (5) years in order to evaluate the effectiveness of meeting the LOS standard for County roads. Road segments or intersections identified to be approaching or below LOS D shall be a high priority for funding.

- C-1.3 In order to achieve a countywide LOS D, or the applicable LOS per *Policy C-1.1*, in conjunction to *Policy C-1.2*, projects that are found to result in reducing a County road below LOS D shall not be allowed to proceed without a phasing program where development is concurrent with improvements that maintain a minimum of LOS D for all affected County roads. Where the LOS of a County road impacted by a specific project currently operates below LOS D and is listed on the CIFP as a top priority, *Policy C-1.4* shall apply. This policy does not apply to the following:
- a. first single family dwelling;
 - b. allowable non-habitable accessory structures on an existing lot of record;
 - c. accessory units consistent with other policies and State Second Unit Housing law; and
 - d. Non-discretionary use for commercially designated properties.
- C-1.4 Direct on-site ~~Adequate Public Facilities and Services (APFS)~~ and direct off-site ~~APFS~~ circulation improvements ~~that will maintain or restore~~ that mitigate project impacts LOS D or the applicable LOS shall be constructed concurrently with new development. Off-site circulation improvements which mitigate cumulative impacts either shall be constructed concurrently with new development, or a fair share payment pursuant to Policies C-1.8 and C-1.11 shall be made. Support collection of regional impact fees to address impacts to regional roads and highways.
- OS-3.5 The County shall prohibit development on slopes greater than 30%. It is the general policy of the County to require dedication of scenic easement on a slope of 30% or greater. Upon application, an exception to allow development on slopes of 30% or greater may be granted at a noticed public hearing by the approving authority for discretionary permits or by the Planning Commission for building and grading permits. The exception may be granted if one or both of the following findings are made, based upon substantial evidence:
- A) there is no alternative which would allow development to occur on slopes of less than 30%; or,
 - B) the proposed development better achieves the resource protection objectives and policies contained in the Monterey County General Plan, accompanying Area Plans and Land Use Plans, and all applicable master plans.
- A permit process will be established as follows:
1. A discretionary permit process for development on slopes greater than 25-percent (25%) or that contain geologic hazards and constraints shown on the County's GIS Geologic (*Policy S-1.2*) or Hydrologic

SUMMARY OF RECOMMENDED CHANGES

GPU5

(Policy PS-2.7) Hazard Databases shall be established. The process shall be designed to:

- a. evaluate possible building site alternatives that better meet the goals and policies of the general plan.
- b. identify development and design techniques for erosion control, slope stabilization, visual mitigation, drainage, and construction techniques.
- c. minimize development in areas where potentially unstable slopes, soil and geologic conditions, or sewage disposal pose substantial risk to public health or safety.

2. The County shall develop and implement an Agricultural Permit process for the conversion, for agricultural purposes, of previously uncultivated lands on slopes in excess of 25-percent (25%). ~~shall require a grading permit.~~ An Agricultural Permit shall recognize unique grading criteria for agricultural purposes and the process shall include criteria when a discretionary permit is required. Projects where only a small portion of the affected area has slopes in conflict with this policy shall be allowed with a ministerial permit that requires compliance with the following criteria:

- a. Water Quality
- b. Biological Resources
- c. Cultural Resources
- d. Erosion Control
- e. Drainage
- f. Flood Hazards

3. A ministerial permit process shall be developed and implemented for proposed development, including for purposes of this policy conversion of previously uncultivated lands, on slopes between 15- and 24-percent (15-24%), and 10- to 15-percent (10-15%) on highly erodible soils.

4. The permit processes shall be designed to require that an erosion control plan be developed and implemented that addresses slope stabilization, and drainage and flood hazards.

5. All Routine and Ongoing Agricultural Activities, except for conversion of previously uncultivated lands as described in this policy above, are exempt from the above permit requirements.

OS-10.a Within 24 months of the adoption of the General Plan, Monterey County will develop a Greenhouse Gas Reduction Plan to reduce emissions by 2020 to the 1990 level. At a minimum, said Plan will:

- a. Establish an inventory of current emissions in the County of Monterey; and
- b. Include an inventory of emissions as of 1990.

PS-3.3 Specific criteria for proof of a long term sustainable water supply for new residential or commercial subdivisions shall be developed. Criteria ~~may~~ shall include but are not limited to:

- a. Water quality.

SUMMARY OF RECOMMENDED CHANGES GPU5

- b. Production capability.
- c. Recovery rates.
- d. Effect on wells in the immediate vicinity.
- e. Existing groundwater conditions.
- f. Technical, managerial and financial capability of the water purveyor of the water system.
- g. Cumulative impacts and planned growth in the area
- h. Status and surety of planned new water supply projects including design, financing mechanism, and environmental review of the project.

PS-4.a The County Health Department, Environmental Health Division, shall develop On-site Wastewater Management Plans (OWMP) for areas with high concentrations of development that are served primarily by individual sewage systems such as North County and Carmel Valley. Wastewater treatment and disposal for community areas and rural centers shall be through the consolidation of services into Regional or Sub-regional facilities. Subdivisions shall be required to consolidate wastewater collection, treatment and disposal systems of services, connecting to existing systems where feasible. The County shall not allow the use of package plants when connection to a regional facility is feasible.

PROMOTE THE PROVIDE LONG-TERM PROTECTION, CONSERVATION, AND ENHANCEMENT OF PRODUCTIVE AND POTENTIALLY PRODUCTIVE AGRICULTURAL LAND.

AG-1.2 The County shall require that well-defined buffer areas be provided as partial mitigation for new non-agricultural development proposals which are located adjacent to agricultural land uses on farm lands designated as prime, of statewide importance, unique, or local importance. The following criteria shall be used to establish agricultural buffers to protect existing agricultural operations:

- a. Factors to consider include the type of non-agricultural use proposed, site conditions and anticipated agricultural practices. Other factors include weather patterns, crop type, machinery and pesticide use, existence of topographical features, trees and shrubs, and possible development of landscape berm to separate the non-agricultural use from the existing agricultural use.
- b. Drainage, shading, vegetation, and erosion control shall be considered in the establishment of an agricultural buffer area and be made beneficial to the adjacent agricultural use.
- c. Buffers shall be designed to comply with applicable state and local laws regulating school buffers, pesticide setbacks, and other controls.
- d. Agricultural buffers and/or easements shall be provided on the land designated for from the proposed new use and not from on the adjacent agricultural land unless by mutual agreement between the two landowners.

SUMMARY OF RECOMMENDED CHANGES GPU5

- e. Agricultural buffers are designed to be used for the purposes and manner described in this policy and for no other purposes unless agreed to by abutting landowners.
- f. Buffer maintenance will be the responsibility of the underlying fee title owner and shall be enforced by the County of Monterey.
- g. In circumstances in which a b~~Buffers are~~ is not meant to be permanent, ~~and it~~ will be terminated once the underlying ~~reason~~ agricultural purpose for the buffer no longer exists.
- h. The Agricultural Advisory Committee shall review and recommend to the Board of Supervisors changes to established buffer zones.

AG-1.3 Subdivision of Important Farmland (as mapped by the California Department of Conservation Farmland Mapping and Monitoring Program) and designated by the County as "Farmland" shall be allowed only for exclusive agricultural purposes. ~~or when demonstrated not to be detrimental to the agricultural viability of adjoining parcels to be consistent with other Ag policies in this Element.~~ Exceptions to this policy include:

- a. A Community Plan/~~Specific Plan~~, or Infrastructure and Financing Study for a Rural Center that implements an alternative farmland preservation strategy.
- b. Division of land for the creation of farmworker or employee/family housing as allowed in *Policies AG-1.6 and AG-1.7*.

AG-1.4 Viable agricultural land uses, including ancillary and support uses, on farmland designated as Prime, of Statewide Importance, Unique, or of Local Importance shall be conserved, enhanced and expanded through agricultural land use designations and encouragement of large lot agricultural zoning, except as provided in a Community Plan. Agriculture shall be established as the top land use priority for guiding further economic development on agricultural lands.

AG-1.10 The Farmland Mapping and Monitoring Program (FMMP) Important Farmland Categories developed by the California Department of Conservation shall be used ~~as one~~ the primary means to identify important agricultural lands in the County. In addition, this would include lands of local importance.

AG-1.12 The County shall prepare, adopt and implement a program that requires projects involving a change of land use designation resulting in the loss of Important Farmland (as mapped by the California Department of Conservation Farmland Mapping and Monitoring Program) or involving land to be annexed to an incorporated area, in consultation with the cities to mitigate the loss of Important Farmland resulting from annexation, to mitigate the loss of that acreage. The program may include ratios, payment of fees, or some other mechanisms. Mitigation mechanisms established through this program shall be based upon a graduated value of the Important Farmland, with mitigation for loss of prime land having the highest agricultural value. The County shall support private, non-profit land trusts and conservation organizations to promote the policies of this

SUMMARY OF RECOMMENDED CHANGES GPU5

Plan, facilitate the implementation of the program, and to receive, by voluntary donation or purchase, development rights on any lands to be preserved as part of this program's implementation strategy. Until such time as the program has been established, the County shall consult and cooperate with the cities so that projects shall mitigate the loss of Important Farmland on an individual basis as much as is feasible as determined by the Board of Supervisors. The acreage in a project or annexation that is to be utilized for inclusionary housing shall not be subject to this mitigation policy. A Community Plan or Rural Center Plan that includes a mitigation program shall not be subject to this policy. ~~This policy would not apply to annexations covered by the 2006 Greater Salinas Area Memorandum of Understanding (MOU) between the County of Monterey and the City of Salinas.~~

CV-1.6

Development in Carmel Valley shall be limited to: ~~the remaining~~

- The first single family home on 203 existing buildable lots of record (January 2006) remaining since adoption of the CVMP in 1986,
- The first single family home on 305 buildable lots created between 1986 and January 2008;
- ~~plus a combination of the~~ creation of 266 new lots and approval of new units not to exceed a total of 576 with preference to projects including at least 50% affordable housing units.

The Resource Management Agency/Planning ~~and Building Inspection~~ Department shall develop a tracking system and shall present an annual report before the Planning Commission.

~~CV-1.27 — Delfino/Airport Site Study Area — The County shall establish a study area near the Carmel Valley Village where there are residential uses. A Study will be performed to evaluate the potential for Affordable/Workforce Housing (see Policy LU 2.12), in light of the environmental conditions of the area (traffic, water quantity, water quality, wastewater disposal). If deemed appropriate and resource constraints have been resolved, the County may establish a Special Treatment Area and adopt specific land use policies that would apply to new development. (APNs: 187-502-001-000, 187-512-016-000, 187-512-017-000, 187-512-018-000, 187-521-014-000, and 187-521-015-000)~~

~~CV-1.28 — Special Treatment Area: Mouth of the Valley — The area consisting of properties located generally between Highway One and the Rancho Canada Golf Course clubhouse, from the Carmel River to Carmel Valley Road, excluding portions of properties in floodplain shall be designated as a Special Treatment Area. Residential development in this area shall provide a minimum of 50% Affordable/Workforce Housing (see Policy LU 2.12). Prior to beginning new residential development (excluding the first unit on an existing lot of record), projects must address environmental resource constraints (e.g.; water, traffic).~~

CV-1.a Special Treatment Area: Rancho Canada Village – Approximately 40 acres consisting of properties located generally between Val Verde Drive and the Rancho Canada Golf Course clubhouse, from the Carmel River to Carmel Valley

SUMMARY OF RECOMMENDED CHANGES

GPU5

Road, excluding portions of properties in floodplain shall be designated as a Special Treatment Area (APN: 015-162-017-000, 015-162-025-000, 015-162-026-000, 015-162-039-000 and 015-162-040-000). Residential development may be allowed with a density of up to 10 units/acre in this area and shall provide a minimum of 50% Affordable/Workforce Housing. Prior to beginning new residential development (excluding the first unit on an existing lot of record), projects must address environmental resource constraints (e.g.; water, traffic).

CV-3.a In Carmel Valley, conversion for agricultural purposes of previously uncultivated lands on slopes in excess of 25 percent (25%) shall be prohibited.

GS-1.1 ~~Russell Road Study Area: Approximately 1,493 acres generally located north of Russell Road between Harrison Road, San Juan Grade Road and the boundary between Rancho Bolsa Nueva y Moro Cojo and Rancho Bolsa de Escarpines, adjacent to the 671-acre Rancho San Juan Community Area (a.k.a. Revised Rancho San Juan Specific Plan), shall be designated as a Study Area (Figure 38, GS Land Use Map). A special study will be prepared for this area to:~~

- ~~a. Investigate appropriate land uses to be consistent with uses in surrounding areas and taking into account the desires of property owners, neighbors and the community.~~
- ~~b. Ensure that any future development is designed to minimize environmental impacts, particularly in regard to traffic, water, services and agriculture.~~
- ~~c. Set forth guidelines for appropriate uses and densities, building heights, setbacks, agricultural buffers and the need for infrastructure improvements.~~

Butterfly Village TBD

GS-1.3 Special Treatment Area: Highway 68/Foster Road Area (APN: 207-051-013-000)
- The property at the ~~northwest~~ southwest corner of Highway 68 and Foster Road shall be designated as a Special Treatment Area. A visitor farm shall be allowed on this agricultural property under the following conditions:

- a. It is an accessory use to the agricultural use of the property;
- b. Produce stand shall be limited to the sale of agricultural products grown within the tri-county area of Monterey, San Benito and Santa Cruz Counties only;
- c. Gift and souvenir sales that promote Monterey County agriculture shall be allowed, not to exceed 10-percent (10%) of the building area of the produce stand, but in no case covering more than 300 square feet;
- d. Food sales shall be allowed, not to exceed 25-percent (25%) of the building area of the produce stand, but in no case covering more than 600 square feet;
- e. Overnight farm stay accommodations shall be allowed if the accommodations are within the primary farm residence on-site, and such stays are limited to no more than 72 hours;

SUMMARY OF RECOMMENDED CHANGES

GPU5

- f. There shall be a general development plan approved for the entire site prior to any development; and
- g. The visitor farm shall not interfere with agricultural activities on adjoining properties.
- h. Developed area shall not exceed 5% of the total parcel. The remaining area shall consist of crop production.

GS-1.11 Espinosa Road Study Area –The County shall ~~establish a~~ study the area along Espinosa Road ~~where there is an existing grouping of~~ to consider where more intensive agricultural uses and businesses (e.g. agricultural truck storage) may be appropriate in this area and, if so, process a General Plan Amendment to establish a Special Treatment Area with specific land use policies that would apply to new development (Figure 38). The Study will assess ~~whether the existing businesses are compatible uses in that location, in light of the~~ environmental conditions of the area (e.g. Espinosa Lake), adequate access and roadway conditions, minimum lot size, maximum size of operation, and impact to surrounding agricultural uses. ~~The County will consider whether additional uses of a similar nature are appropriate in this area and, if so, establish a Special Treatment Area and adopt specific land use policies that would apply to new development.~~ Properties with truck storage operations in place prior to January 3, 2007 (as determined by Monterey County Code Enforcement) may be allowed to continue at the level in place at that time until the study of this area is completed (pre-existing). Businesses started after that time are not allowed until/unless a Special Treatment Area designation is adopted. If a Special Treatment Area (STA) is established, pre-existing businesses located outside of the STA must be removed, and businesses within the STA must be brought into conformance with adopted standards within one year from the adoption date.

GS-1.a Development on properties with residential land use designations located within the [northern portion of] the Greater Salinas Area Plan shall be limited to the first single family home on a legal lot of record. A general plan amendment shall be required to lift this restriction. Said amendment must include findings that:
a. a long-term water supply exists (Policy PS-3.3) and
b. that there will be no degradation below LOS D on any County roads (Policy C-1.2)
for the level of development allowed under the land use designations for that area. Said restriction shall not apply to development within adopted Community Areas, Rural Centers, or Affordable Housing Overlays.

NC-1.a Development on properties with residential land use designations located within the North County Area Plan shall be limited to the first single family home on a legal lot of record. The County shall conduct a comprehensive review of infrastructure constraints regarding circulation, wastewater, and water supply prior to consideration of any changes to this Policy.

SUMMARY OF RECOMMENDED CHANGES GPU5

~~T-1.7 Special Treatment Area: Merrill Property (APN 161-011-074) - The Merrill property at Reservation Road and Highway 68, shall be designated as a Special Treatment Area to ensure a mix of commercial and low, moderate and workforce housing uses compatible in type and scale with uses on surrounding properties. The gross square footage of commercial/business park uses shall not exceed the gross square footage of residential uses on the property.~~

T-1.a Development on properties with residential land use designations located within the Toro Area Plan along the Highway 68 corridor shall be limited to the first single family home on a legal lot of record. The County shall conduct a comprehensive review of infrastructure constraints regarding circulation, wastewater, and water supply prior to consideration of any changes to this Policy.

T-1.b Special Treatment Area: Pine Canyon Road – Approximately 40 acres consisting of property located generally south and west of Pine Canyon Road and River Road shall be designated as a Special Treatment Area (APN: 139-022-005-000). Residential development in this area shall provide a minimum of 50% Affordable/Workforce Housing. Prior to beginning new residential development (excluding the first unit on an existing lot of record), projects must address environmental resource constraints (e.g.: water, traffic).

ALTERNATIVE: Include a smaller Rural Center (LU-2.27) from the end of Las Palmas to Pine Canyon.

2.1 PURPOSE AND INTENT

The purpose and intent of this Agricultural Winery Corridor Plan is to establish guidelines and standards for development of wineries and wine industry related uses within the designated corridor. Guidelines include but are not limited to:

- Wineries and related uses within existing agricultural operations.
- Projected number of artisan and full-scale wineries allowed within the next 20 years.
- Criteria for creating a limited number of 5-acre or larger sized lots for artisan wineries.
- Criteria for adding winery tasting facilities to existing wineries.
- Number of new stand alone winery tasting facilities allowed within the next 20 years.
- Type of auxiliary structures and uses allowed within the next 20 years.
- Design Guidelines that encourage unique expressions of architecture while maintaining the rural character of the area.
- Infrastructure financing that addresses industry-related impacts on the corridor over the life of the plan.
- Development of Monterey County into a major wine production area.

B. Full-Scale Winery: a maximum of 10 new full-scale wineries as follows:

SUMMARY OF RECOMMENDED CHANGES GPU5

1. River Road Segment; up to five (5);
2. Metz Road Segment; up to two (2); and
3. Jolon Road Segment; up to three (3).

D. Winery, Full-scale, including tasting facilities and a catering kitchen as part of the winery. Events included as part of the permit for a full-scale winery shall not be subject to other permit requirements of Sections 3.3.E or 3.6.

4.1 GENERAL ADMINISTRATION

Figure AWCP-3 of this Plan depicts the approximate general areas where the AWCP polices apply. If a parcel is partially within the AWCP boundary shown in *Figure AWCP-3*, the entire parcel is considered to be part of the Corridor. ~~Parcel(s) located contiguous to a parcel located within the AWCP may be considered part of the Corridor provided all such parcels are owned entirely by the same property owner(s) and development occurs entirely within the current AWCP boundary. Such determination shall be made by the Director of Planning.~~